



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

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Instructions on File

25 February 1973

MEMORANDUM FOR Dr. Henry A. Kissinger  
Assistant to the President for  
National Security Affairs

SUBJECT Communist Violations of Vietnam and Laos  
Settlement Agreements

1. Attached are three copies of the first report on Communist violations of the Vietnam and Laos settlement agreements which you requested at the 23 February 1973 meeting of the WSAG. This report covers the period from 28 January, when the Vietnam settlement agreement went into effect, through 25 February. Subsequent reports on this subject will be issued on a weekly basis.

2. This report has been prepared jointly by the Central Intelligence Agency and the Department of Defense. Both agencies are in full agreement both with the conclusions and with all specifics of the report.

James R. Schlesinger  
Director

Attachment

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MORI/CDF Pages 2 thru 16

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COMMUNIST VIOLATIONS OF  
THE VIETNAM AND LAOS SETTLEMENT AGREEMENTS\*

1. The following paragraphs contain a comprehensive listing of Communist actions since 28 January which we consider to be clear violations of the Vietnam and Laos settlement agreements. Three principal types of Communist activity are discussed: (a) the movement of substantial numbers of new North Vietnamese troops toward and into South Vietnam; (b) the large and continuing flow of military equipment and supplies from North Vietnam to the south; and (c) the combat activity instigated by Communist forces in both South Vietnam and Laos after the respective deadlines (28 January and 22 February) by which combat was to end in the two countries.

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\* This report has been prepared jointly by the Central Intelligence Agency and the Department of Defense.

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7. The following shipments of equipment and supplies have been definitely identified as having crossed the border into South Vietnam since 28 January. (None of these shipments has gone through authorized entry points.)

- (a) During the period from 7 through 22 February, a steady flow of North Vietnamese traffic, averaging six trucks per day, was observed moving east from southern Laos into Quang Tri Province of South Vietnam on Route 9.
- (b) On 18 February, five North Vietnamese trucks and two tanks were observed moving east on Route 9 about to cross the border into Quang Tri Province.
- (c) On 18 February, 33 North Vietnamese cargo trucks were observed inside South Vietnam, on Route 9 to the west of Khe Sanh in Quang Tri Province.
- (d) On 22 February, six North Vietnamese cargo trucks were observed on Route 9, to the west of Khe Sanh in Quang Tri Province.
- (e) Three new equipped, occupied, and operational SA-2 missile sites have been set up in the Khe Sanh area by the North Vietnamese since the ceasefire. The equipment for these sites was almost certainly brought in after the ceasefire, and hence was brought in in violation of the agreement.

8. The following shipments of North Vietnamese equipment and supplies within southern Laos and eastern Cambodia are clearly earmarked for South Vietnam, though they have not yet been observed crossing the South Vietnamese border.

- (a) Between 1 and 10 February, a total of 1,252 North Vietnamese vehicles were observed in Laos near the point where Laos, Cambodia and South Vietnam

meet (the tri-border area). At least 255 of these vehicles were observed moving toward the central highlands of South Vietnam. At least 281 were moving toward the southern half of South Vietnam.

- (b) On 11 February a North Vietnamese transportation battalion in the tri-border area of Laos was observed turning over 30 vehicles to Communist military officers from the southern provinces of South Vietnam, and ten vehicles to Communist officers from the central highlands of South Vietnam.
- (c) On 12 February, a North Vietnamese logistics unit in southern Laos just west of the DMZ was observed preparing large vehicle formations to transport cargo to the coastal regions of central South Vietnam.
- (d) On 13 February, thirteen vehicles carrying ordnance were observed headed toward the southern half of South Vietnam from a major North Vietnamese logistic unit located near Tchepone in southern Laos.
- (e) On 17 February, six vehicles hauling 85mm artillery were observed headed toward the southern half of South Vietnam from a major North Vietnamese logistic unit in the tri-border area of Laos.
- (f) Firm evidence indicates that the North Vietnamese have moved or are in the process of moving some 400 tanks down through southern Laos and northeastern Cambodia. These tanks are all clearly to be assigned to Communist units in the southern three-quarters of South Vietnam or Cambodia. Similarly, we have good evidence that large amounts of artillery are moving through the Lao panhandle at this time, and that most of it is also destined for the southern three-quarters of South Vietnam.
- (g)  Viet Cong supply units in South Vietnam's MR 4 were told on 8 February of a plan to relocate all war

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materiel presently stockpiled in Cambodia to South Vietnam. Each Viet Cong village supply unit in South Vietnam was ordered to prepare storage facilities for 100 to 150 tons of supplies.

9. In addition to the cases above, where we have evidence of shipments in southern Laos clearly earmarked for South Vietnam in violation of the settlement agreement, we have a large volume of evidence on other North Vietnamese logistics activity throughout the Lao Panhandle. Historical patterns indicate that much of this activity also involves supplies destined for South Vietnam.

- (a) About 1,100 trucks moved through the Ban Karai Pass from North Vietnam into southern Laos between 1 and 23 February. This pass is one of the major entry points from North Vietnam to the Ho Chi Minh trail system

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[REDACTED] During the same period, a different source, also reliable, reported that at least 38 trucks per day moved south through the Ban Karai Pass.

- (b) On 3 February, a 70-vehicle North Vietnamese convoy was observed transporting ammunition in the area of eastern Laos between the DMZ and the Ashau Valley. In the same area a total of 194 North Vietnamese vehicles were observed on 3 February, and 233 were observed on 5 February.

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- (c) On 13 and 14 February, sixteen North Vietnamese vehicles were observed [REDACTED] of ordnance to a major storage area near Tchepone, southern Laos. On 16 February, 51 vehicles were observed carrying cargo to the same storage area. All the cargo was ordnance.

- (d) On 19 February, 52 North Vietnamese vehicles were observed moving south in the Muong Nong area of southern Laos.

10. In the DMZ area, we have the following additional evidence of heavy supply activity in support of North Vietnamese military forces.



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- (b) On 1 February, 23 North Vietnamese cargo trucks were observed on Route 561A northwest of Quang Tri City.
- (c) On 6 February, 105 North Vietnamese cargo trucks were observed on Route 1033A inside the western DMZ. On the same date 230 North Vietnamese cargo trucks were observed on Route 102B near its intersection with Route 1032A in the western DMZ.
- (d) On 7 February, 13 North Vietnamese cargo trucks were observed moving south on Route 1033A in the western DMZ.
- (e) In various  observations made on 17 and 18 February, large numbers of North Vietnamese cargo trucks were seen transporting supplies on various routes in the western DMZ area. On Route 608 north of Khe Sanh, 22 trucks were observed on the 17th and 32 on the 18th. On Route 1032A ten trucks were seen. Sixty-two trucks were observed on Route 102B on 17 February, and 59 trucks were observed there on 18 February. Also on 18 February, 16 trucks were seen on Route 1033.

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11. Inside North Vietnam north of the DMZ there is additional evidence of North Vietnamese intent to violate the ceasefire agreement.

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12. Finally, there has been one confirmed instance of North Vietnam shipping supplies into South Vietnam by sea in violation of the agreement. On 6 February large stocks of supplies were observed on a beach in southern Quang Ngai Province, and a small cargo vessel -- probably a North Vietnamese infiltration trawler -- was observed a few miles off shore with its hold open and possible cargo still on deck. A small boat was along side. Two days previously, Communist forces had destroyed a South Vietnamese coastal radar site in the area.

C. Combat Activity Instigated by Communist Forces in South Vietnam Since the Ceasefire

13. In South Vietnam, the total number of Communist-initiated cease-fire violations reported by the South Vietnamese Armed Forces from 28 January through 24 February is shown below:

Military Region	Total Since Ceasefire Level of Action		Last Week (18-24 Feb) Level of Action	
	Major <u>1/</u>	Minor <u>1/</u>	Major	Minor
MR 1	352	1,447	75	327
MR 2	87	551	20	125
MR 3	76	835	10	147
MR 4	<u>151</u>	<u>1,562</u>	<u>41</u>	<u>349</u>
TOTALS	666	4,395	146 (193) <u>2/</u>	948 (1,012) <u>2/</u>

1/ DOD Definitions of major and minor violations are contained in the Annex.  
2/ Denotes totals of previous week.



14. Immediately before the ceasefire, major combat erupted in two areas of South Vietnam. These were along the banks of the Cua Viet River in northern Military Region (MR) 1 and in the vicinity of Tay Ninh City in MR 3. In northern MR 1, the South Vietnamese marines launched an 11th-hour attack to establish a salient at the mouth of the Cua Viet River. The North Vietnamese Army (NVA) launched counter-attacks after the commencement of the ceasefire against the marines. Within three days the marines were forced to return to their former positions north of Quang Tri City. In MR 3, the Communists attempted a major gain unacceptable to the GVN. In this confrontation the Communists attempted to seize and hold portions of Tay Ninh City, reportedly to establish a post-ceasefire capital. Heavy fighting continued well after the ceasefire in that area until the Communists were defeated and forced to withdraw.

15. Concurrently with these major military operations, a contest developed for the control of a large number of hamlets countrywide where the Communists considered themselves sufficiently strong to hazard an overt military effort to wrest control from the GVN.

16. In addition, the enemy launched an effort throughout the Republic of Vietnam (RVN) to interdict lines of communication (LOCs) in an attempt to isolate population centers and to separate the military region commands of RVNAF. The enemy was successful in blocking -- for a period of some days -- major inter-provincial routes in MR 1 and MR 2, but farther south government forces prevented Communist units from blocking any major routes in MRs 3 or 4 for more than a brief period. The only major highway where there are presently difficulties is Route 14 between Pleiku and Kontum cities in the central highlands. This road was officially declared open on 21 February and remains officially open now. Enemy forces in the Kontum Pass area, however, pose a continuing threat to road security.

17. Since the signing of the truce, the enemy has employed attacks by fire as one of his principal tactics. These artillery, rocket and mortar attacks vary in magnitude from a single round to a significant barrage of fire. While attacks-by-fire in some instances may have a specific military purpose, ordinarily they are not employed in this manner. Instead, the enemy uses this form of activity as an economical means to demonstrate his presence and continued military capability. In brief, it is a technique used to terrorize the populace and to raise doubts in their minds concerning the GVN's ability to protect them.

18. The following is a chronological listing of the most significant "major" Communist violations of the ceasefire in South Vietnam that were reported by the South Vietnamese Armed Forces during the past week (18-24 February):

MILITARY REGION 1:

- (a) On 18 February, in the ARVN airborne zone south and southwest of Quang Tri City, the enemy directed 13 attacks-by-fire totaling 650 rounds of mixed ordnance at airborne units.
- (b) On 19 February, 23 miles west-northwest of Tam Ky, elements of an ARVN infantry battalion received an attack-by-fire of 37 rounds of 82mm mortar.
- (c) On 19 February, 31 miles southeast of Quang Ngai, elements of an ARVN infantry battalion received a ground attack by an enemy force.
- (d) On 19 February, in the ARVN Airborne Division zone, southwest of Quang Tri City, the enemy launched 16 attacks-by-fire totaling 555 mixed mortar rounds against airborne forces.
- (e) On 19 February, eight miles northwest of Hue, elements of an ARVN infantry battalion received an attack-by-fire of 40 rounds of 82mm mortar.
- (f) On 19 February, 13 miles southwest of Hue, elements of an ARVN infantry battalion received an attack-by-fire of 40 rounds of 82mm mortar.
- (g) On 19 February, 31 miles south-southeast of Quang Ngai, elements of an ARVN ranger battalion received an enemy ground attack.
- (h) On 20 February, elements of the airborne division, southwest of Quang Tri City received three attacks-by-fire totaling 89 rounds of mixed ordnance.
- (i) On 20 February, 14 miles southwest of Hue, elements of an ARVN infantry battalion received 40 rounds of 82mm mortar during an attack-by-fire.

- (k) On 20 February, elements of a reconnaissance company received an attack-by-fire of 70 rounds of 60mm mortar.
- (l) Three miles southwest of Quang Tri City on 22 February elements of an airborne battalion received an attack-by-fire consisting of 41 rounds of 82mm mortar fire.
- (m) Thirteen miles southwest of Hue on 22 February elements of an infantry battalion received two separate attacks-by-fire totaling 70 rounds of mixed mortar and B-40 rocket fire.

MILITARY REGION 2:

- (a) On 20 February, 19 miles northwest of Qui Nhon, elements of a reconnaissance company were attacked by an unknown-size enemy force.
- (b) On 20 February, three miles northwest of Phan Thiet, elements of an RF battalion received an attack-by-fire of 40 rounds of 82mm mortar.
- (c) Approximately 10 miles north-northeast of Bonh Son on 21 February, elements of two infantry battalions and a subsector headquarters received three separate attacks-by-fire totaling 73 rounds of 60- and 82mm mortar and 107mm rocket fire.
- (d) Ten miles southwest of Kontum City on 22 February, elements of an ARVN ranger battalion received a ground attack.
- (e) Fourteen miles northeast of Ban Me Thuot on 23 February elements of an infantry battalion received a ground attack.

MILITARY REGION 3:

- (a) On 18 February, six miles south of Tay Ninh, elements of a PF platoon received an attack-by-fire of 50 rounds of 60mm mortar.

- (b) On 19 February, 11 miles southeast of Song Be, elements of an RF company received an attack-by-fire of 50 rounds of 82mm mortar.
- (c) On 19 February, 29 miles south of Dau Tieng, elements of an RF battalion and an ARVN tank company were attacked by an enemy force.
- (d) Five miles west of Song Be on 21 February, elements of a Regional Force Battalion received an attack-by-fire consisting of 20 rounds of 60mm mortar fire.
- (e) Thirteen miles south-southwest of Song Be on 23 February, elements of a regional force company received an attack-by-fire, consisting of 40 rounds of 60mm mortar fire.
- (f) On 24 February, the village chief of Loc Khae, about 20 miles south of Tri Tam, was assassinated.
- (g) On 24 February, about 15 miles north of Truc Giang, a US UH-1H helicopter with ICCS markings received ground-to-air fire by a SA-7 missile.

MILITARY REGION 4:

- (a) On 18 February, 24 miles northeast of Ca Mau, a district town was struck with five rounds of 82mm mortar fire.
- (b) On 19 February, two miles west of My Tho, elements of an RF battalion received an enemy ground attack.
- (c) On 19 February, 22 miles east-northeast of Chau Doc, elements of an armored cavalry squadron and a reconnaissance company were attacked by an unknown-size enemy force.
- (d) On 20 February, six miles west of Vi Thanh, a PF outpost received an attack-by-fire of 50 rounds of 82mm mortar.
- (e) Five miles northwest of Tri Ton on 21 February, elements of a ranger battalion received two separate attacks-by-fire totaling 70 rounds of mixed 60- and 82mm mortar fire.
- (f) Fourteen miles southwest of Vi Thanh on 21 February, elements of a regional force battalion and the Vinh Tuy

base received two separate attacks-by-fire totaling 57 rounds of mixed 60- and 82mm mortar and B-40 rocket fire.

(g) Twelve miles south of My Tho on 21 February, an enemy force entered a hamlet and assassinated the hamlet chief.

(h) Four miles north of Vi Thanh on 22 February, elements of a regional force battalion received a ground attack.

D. Combat Activity Instigated by Communist Forces in Laos Since the Settlement Agreement on Laos Went into Effect

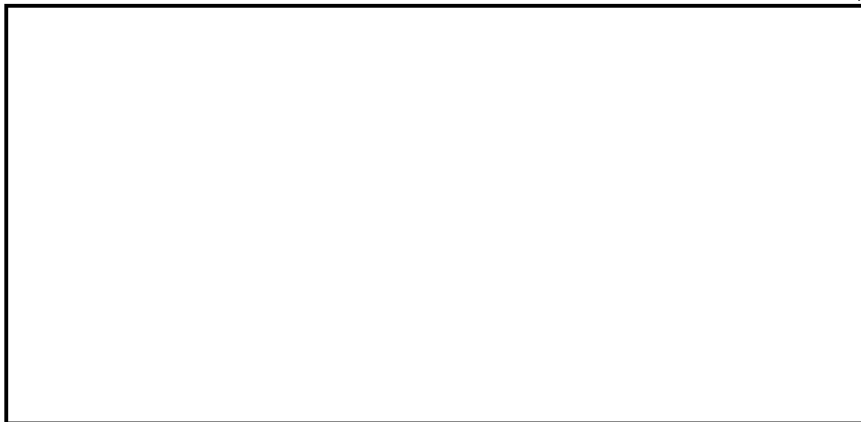
19. Enemy-initiated ground contacts and attacks by fire have continued throughout Laos since the cease-fire agreement went into effect at 1200 hours local (0500Z), 22 February 1973. The most notable violation was an intense attack that resulted in the rout of irregular forces from Paksong. This attack began before the truce deadline, but continued after the deadline had passed. The enemy has continued to shell and probe positions west of Paksong, where the government troops are regrouping. North of the Bolovens Plateau, enemy military activity in northern Laos intensified on the 22nd, when a government battalion northwest of Saravane was dispersed by an enemy attack. A small government unit northwest of Khong Sedone was also hard hit by an enemy attack on the 23rd.

20. In the Panhandle to the north of Paksong two irregular battalions operating along Route 13 northwest of Thakhek were dispersed on 24 February by a sharp NVA attack. Scattered contacts also occurred to the east of Thakhek since the ceasefire began.

21. In northern Laos, friendly irregulars at Sala Phou Khoun were attacked by Pathet Lao and dissident neutralist forces, reportedly supported by two tanks, on 23 February. These government forces continued, as of 24 February, to receive small ground probes and heavy attacks by fire.

22. Several enemy attacks by fire and ground contacts also continued in the Plaine des Jarres area through 23 and 24 February. Friendly forces west of the Plaine were hit by over 600 rounds of indirect fire from NVA units on the 23rd. Another heavy attack by fire of some 400 rounds was directed against friendly positions northeast of Long Tieng on the same day. Other Communist-initiated clashes occurred near Xieng Khouangville after the ceasefire was signed.

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- Paragraphs 13 through 22: These paragraphs, which list reports of Communist-initiated fighting inside South Vietnam and Laos in violation of the ceasefire, [redacted]

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[redacted] In the case of South Vietnam, they are almost exclusively derived from reporting of the South Vietnamese armed forces, and may be subject to the biases inherent in RVNAF reporting at the present time. In the case of Laos, most of the reporting on combat violations comes from American observers, who are still on the scene. In any case, there is no particular security problem associated with using the information in these paragraphs at the International Conference on Vietnam in Paris.

## 2. Definition of "major" and "minor" ceasefire violations:

Paragraph 13 of this memorandum contains a table listing the total number of Communist-inspired ceasefire violations since 28 January. The determination of whether a violation is "major" or "minor" is based upon the following criteria, which have been established by the U.S. Department of Defense.

Major Violation: One in which US/friendly forces, facilities, or population centers:

- Receive numerous rounds of enemy mortar, artillery, or rocket fire within a short period of time or sporadically over a period of hours.
- Receive a multi-company (150-400 men) ground attack with or without supporting fire.
- Are subjected to one or more acts of terrorism involving extensive use of mines and demolitions.

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Minor Violation: One in which US/friendly forces, facilities, or population centers:

- Receive one or a very few rounds of enemy mortar, artillery, rocket, or small arms fire following an extended period during which no stand-off attacks-by-fire were received.
- Receive a small ground probe, unsupported by significant mortar, artillery, or rocket fire, following an extended period during which no attacks of this type were received.
- Are subjected to one or a very few small terrorist attacks involving use of mines and demolitions following an extended period during which no attacks of this type were received.

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